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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/815,522	04/01/2004	Hideki Kurokawa	P/1866-70	3472
2352	7590	07/19/2006	EXAMINER	
OSTROLENK FABER GERB & SOFFEN 1180 AVENUE OF THE AMERICAS NEW YORK, NY 100368403			RAMPURIA, SHARAD K	
			ART UNIT	PAPER NUMBER
			2617	

DATE MAILED: 07/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/815,522	<b>Applicant(s)</b> KUROKAWA, HIDEKI	
	<b>Examiner</b> Sharad Rampuria	<b>Art Unit</b> 2617	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 27 April 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 April 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |                                                                                                                        |                                                                                         |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                            | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____                                                |

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### **DETAILED ACTION**

I. The Art Unit location of this application in the USPTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Art Unit 2617.

II. The current office-action is in response to the amendments/remarks filed on 4/27/06. Accordingly, Claims 1-11 are imminent for further assessment as follows:

#### ***Drawings***

III. The receipt of drawings filed on is accepted by examiner.

#### ***Claim Rejections - 35 USC § 102***

IV. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

V. Claims 1-11 are rejected under 35 U.S.C. 102 (e) as being anticipated by Novakov [US 6571103]

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As per claims 1, 8, Novakov teaches:

A radio network system having a radio base station (10; Fig.1) connected to a communication line and utilizing radio as data transfer medium and a plurality of radio mobile terminals (26; Fig.1) connected via the radio base station to the communication line and utilizing the radio, (Abstract) wherein:

The radio base station includes means for managing the radio mobile terminal as to whether the terminal is in a power-saving mode for saving power by intermittent power reception and a normal mode with power received at all times on the basis of a predetermined protocol, (i.e. Upon receipt of the call indication (step 68), the local station 10 sends an activation code to the mobile station 26 (step 70). This activation or wake-up code causes the mobile station to end its power saving mode and to resume an active (working) mode of operation; Col.7; 29-34)

Means for receiving and discriminating broadcast packets traveling over the communication line addressed to the radio mobile terminals operating in the power-saving mode and, when the broadcast packet concerning a physical address inquiry is found, responding to the same broadcast packet as an agent for the pertinent radio mobile terminal to solve the physical address inquiry, (i.e. FIG. 2 shows the initial phases of the method of establishing a communication link according to the presently described sample embodiment. When the local station 10 starts operating, inquiry messages-are sent (steps 50A, 50B, . . . , 50X) in regular time intervals in order to find and identify any mobile station 26 within the range of the Bluetooth link. These inquiry messages contain an inquiry access code common to all Bluetooth devices and are sent on predefined inquiry wake-up carriers; Col.4; 58-67 and the inquiry sent in

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step 50X is the first one that reaches the mobile station 26...in response receives and identity code; Col.5; 8-28) and

Means for reporting the reception of the physical address inquiry to the radio mobile terminal operating in the power-saving mode to urge the pertinent radio mobile terminal to switch the operation mode to the normal mode. (i.e. activate wake-up code; Col.7; 29-34 and Col.7; 52-61)

As per claims 2, 9, Novakov teaches:

A radio network system having a radio base station (10; Fig.1) connected via an external control unit (12; Fig.1) to a communication line and utilizing radio as transfer medium and a plurality of radio mobile terminals (26; Fig.1) connected via the radio base station to the communication line and utilizing the radio, (Abstract) wherein:

The external control unit includes means for managing the radio mobile terminal as to whether the terminal is in a power-saving mode for saving power by intermittent power reception and a normal mode with power received at all times on the basis of a predetermined protocol, (i.e. Upon receipt of the call indication (step 68), the local station 10 sends an activation code to the mobile station 26 (step 70). This activation or wake-up code causes the mobile station to end its power saving mode and to resume an active (working) mode of operation; Col.7; 29-34)

Means for receiving and discriminating broadcast packets traveling over the communication line addressed to the radio mobile terminals operating in the power-saving mode and, when the broadcast packet concerning a physical address inquiry is found, responding to the same broadcast packet as an agent for the pertinent radio mobile terminal to solve the physical

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address inquiry, (i.e. FIG. 2 shows the initial phases of the method of establishing a communication link according to the presently described sample embodiment. When the local station 10 starts operating, inquiry messages-are sent (steps 50A, 50B, . . . , 50X) in regular time intervals in order to find and identify any mobile station 26 within the range of the Bluetooth link. These inquiry messages contain an inquiry access code common to all Bluetooth devices and are sent on predefined inquiry wake-up carriers; Col.4; 58-67 and the inquiry sent in step 50X is the first one that reaches the mobile station 26...in response receives and identity code; Col.5; 8-28) and

Means for reporting the reception of the physical address inquiry to the radio mobile terminal operating in the power-saving mode to urge the pertinent radio mobile terminal to switch the operation mode to the normal mode. (i.e. activate wake-up code; Col.7; 29-34 and Col.7; 52-61)

As per claims 3, 10, Novakov teaches:

The radio network system according to claims 2, and one of claims 8 and 9, respectively, wherein the solving means for the physical address inquiry responds to the broadcast packet as an agent for the pertinent radio mobile terminal without causing the same broadcast packet to be held in the own station. (Col.5; 8-18)

As per claims 4, 11, Novakov teaches:

The radio network system according to one of claims 1 and 2, and one of claims 8 and 9, respectively, wherein the solving means for the physical address inquiry responds to the

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broadcast packet as an agent for the pertinent radio mobile terminal without sending out the same broadcast packet to the radio transfer line side. (Col.5; 8-18)

As per claim 5, Novakov teaches:

A radio base station (10; Fig.1) connecting a plurality of radio mobile terminals (26; Fig.1) to a communication line by utilizing radio as data transfer medium (Abstract) comprising:

Means for managing the radio mobile terminal as to whether the terminal is in a power-saving mode for saving power by intermittent power reception and a normal mode with power received at all times on the basis of a predetermined protocol; (i.e. Upon receipt of the call indication (step 68), the local station 10 sends an activation code to the mobile station 26 (step 70). This activation or wake-up code causes the mobile station to end its power saving mode and to resume an active (working) mode of operation; Col.7; 29-34)

Means for receiving and discriminating broadcast packets traveling over the communication line addressed to the radio mobile terminals operating in the power-saving mode and, when the broadcast packet concerning a physical address inquiry is found, responding to the same broadcast packet as an agent for the pertinent radio mobile terminal to solve the physical address inquiry, (i.e. FIG. 2 shows the initial phases of the method of establishing a communication link according to the presently described sample embodiment. When the local station 10 starts operating, inquiry messages-are sent (steps 50A, 50B, . . . , 50X) in regular time intervals in order to find and identify any mobile station 26 within the range of the Bluetooth link. These inquiry messages contain an inquiry access code common to all Bluetooth devices and are sent on predefined inquiry wake-up carriers; Col.4; 58-67 and the inquiry sent in

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step 50X is the first one that reaches the mobile station 26...in response receives and identity code; Col.5; 8-28) and

Means for reporting the reception of the physical address inquiry to the radio mobile terminal operating in the power-saving mode to urge the pertinent radio mobile terminal to switch the operation mode to the normal mode. (i.e. activate wake-up code; Col.7; 29-34 and Col.7; 52-61)

As per claim 6, Novakov teaches:

The radio base station according to claim 5, wherein the solving means for the physical address inquiry responds to the broadcast packet as an agent for the pertinent radio mobile terminal without causing the same broadcast packet to be held in the own station. (Col.5; 8-18)

As per claim 7, Novakov teaches:

The radio base station according to claim 5, wherein the solving means for the physical address inquiry responds to the broadcast packet as an agent for the pertinent radio mobile terminal without sending out the same broadcast packet to the radio transfer line side. (Col.5; 8-18)

### ***Response to Amendments & Arguments***

VI. ***Applicant's arguments filed on 4/27/2006 have been fully considered but they are not persuasive.***

***Concerning Claim 1:***



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In rejoinder to Applicant's argument that Novakov doesn't teach, "Means for receiving and discriminating broadcast packets traveling over the communication line addressed to the radio mobile terminals operating in the power-saving mode and, when the broadcast packet concerning a physical address inquiry is found, responding to the same broadcast packet as an agent for the pertinent radio mobile terminal to solve the physical address inquiry;" it is noted that Novakov supports the assertion as, the local station 10 starts operating, *inquiry messages-are sent (steps 50A, 50B, . . . , 50X) in regular time intervals in order to find and identify any mobile station 26 within the range* of the Bluetooth link. These inquiry messages contain an inquiry access code common to all Bluetooth devices and are sent on predefined inquiry wake-up carriers. (Please perceive Col.4; 58-67) Hence, *Novakov send the inquiry message to find the pertinent radio terminal. For that reason*, it is believed that *Novakov still teaches the claimed limitations*.

The above arguments also recites for the claims 2, 5, 8, 9, consequently the response is the same explanation as set forth above with regard to claim 1.

With the intention of that explanation, it is believed and as enlighten above, the refutation are sustained.

### ***Conclusion***

VII. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

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MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sharad Rampuria whose telephone number is (571) 272-7870. The examiner can normally be reached on M-F. (8:30-5).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on (571) 272-7495. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://portal.uspto.gov/external/portal/pair>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or [EBC@uspto.gov](mailto:EBC@uspto.gov).

  
GEORGE ENG  
SUPERVISORY PATENT EXAMINER

Sharad Rampuria  
Examiner  
Art Unit 2617